

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

DM-10/2003

In re Application of: Jeffrey D. Lindsay, et al

Group Art Unit: 3677

Serial No.: 10/743,556

Examiner: James R. Brittain

Filed: December 22, 2003

Our Customer ID: 22827

For: Activatable Fastening System and Web Having Elevated
Regions and Functional Material Members

Our Account No.: 04-1403

Confirmation No.: 5072

Attorney No.: KCX-767 (19738)

Sir:

1. ☐ **NOTICE OF APPEAL:** Pursuant to 37 CFR 41.31, Applicant hereby appeals to the Board of Appeals from the decision dated ____ of the Examiner twice/finally rejecting claims 1-42.
2. ☒ **BRIEF** on appeal in this application pursuant to 37 CFR 41.37 is transmitted herewith (1 copy)
3. ☐ An **ORAL HEARING** is respectfully requested under 37 CFR 41.47 (due within two months after Examiner's Answer).
4. ☐ Reply Brief under 37 CFR 41.41(b) is transmitted herewith (1 copy).
5. ☐ "Small entity" verified statement filed: ☐ herewith ☐ previously.

6. **FEE CALCULATION:**

If box 1 above is X'd enter \$500.00

If box 2 above is X'd enter \$500.00

If box 3 above is X'd enter \$1,000.00

If box 4 above is X'd enter -0- (no fee)

Fees

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\$ 500.00
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Petition is hereby made to extend the original due date of _____ to cover the date of this paper and any enclosure for which the requisite fee is (1 month \$120); (2 months \$450); (3 months \$1,020); (4 months \$1,590), (5 months \$2,160)

Less any previous extension fee paid since above original due date.

Subtotal \$ 500.00

Subtotal - \$ 500.00

If "small entity" box 5 above is X'd, enter one-half (1/2 of subtotal and subtract)

TOTAL FEE \$ 500.00

- ☐ Fee enclosed.
- ☐ Charge fee to our Deposit Account/Order Nos. in the heading hereof (for which purpose one additional copy of this sheet is attached)
- ☒ Charge to credit card (attach Credit Card Payment Form - PTO 2038)
- ☐ Fee NOT required since paid in prior appeal in which the Board of Appeals did not render a decision on the merits.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. show in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

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DORITY & MANNING, ATTORNEYS AT LAW, P.A.

By: Eric G. Zaiser Reg. No.: 58,352
Signature: [Signature]
Date: February 2, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Post Office Box 1450, Alexandria, VA 22313-1450, on February 2, 2007.

Margaret Giordani

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